

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated May 25, 2010. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-2 and 5-14 are pending in the Application. Claims 1, 9, 10, 11, 12, and 13 are independent claims.

Claims 13 and 14 are rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. In response, the rejected claims are amended to include the term "non-transitory", as suggested in the Office Action. Accordingly, it is respectfully submitted that claims 13 and 14 are now in proper form and it is respectfully requested that this rejection be withdrawn.

Claims 1-2 and 5-14 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In response, the rejected claims are amended to clarify their recitations in accordance with the comments on pages 4 and 5 of the Office Action. Accordingly, it is respectfully submitted that claims 1-2 and 5-14 are now proper and it is respectfully requested that this rejection be withdrawn.

Claims 1, 2 and 5-12 are rejected under 35 U.S.C. §102(b) over U.S. Patent No. 6,633,534 to Tosaki ("Tosaki"). Claims 13 and 14 are rejected under 35 U.S.C. §103(a) over Tosaki in view of U.S. Patent No. 6,236,727 to Ciacelli ("Ciacelli"). These rejections are respectfully traversed. It is respectfully submitted that claims 1, 2 and 5-12 are allowable over Tosaki and Ciacelli for at least the following reasons.

The layout of the record carrier of claim 1, an example of which is shown in Figures 1-3, includes the data zone 7 (Figure 1). The example also shows an inner drive area 3 and lead-in area 5 (Figures 1 and 2) for DVD+R or just the lead-in area 3/5 (Figure 3) for DVD+RW. The area 3/5 includes the initial zone (described in layout formats of Figures 2 and 3). Further, Figures 4C and 4D illustrate a copy of the key block 24 in the initial zone (of the area 3/5) and the content protection information including the key block 26 and the reference or pointer 28 in the data zone 7.

Claim 1 was amended to clarify its recitations in accordance with the above description. In particular, claim 1 now recites "a data zone including content protection information" and "the content protection information comprises a pointer to a location of a copy of the key block stored in said initial zone".

The Office Action (see page 6) uses area 4 of Tosaki in combination with area 5 to reject the data zone of claim 1 and then with zone 3 to reject the initial zone. In claim 1 the initial and data zones do not overlap. Furthermore, the Office Action rejects the "pointer to a location of a copy of the key block stored in said initial zone" recitation of claim 1 by referencing a term "index", which is not found in Tosaki.

It is respectfully submitted that the record carrier of claim 1 is not anticipated or made obvious by the teachings of Tosaki and Ciacelli. For example, Tosaki and Ciacelli do not disclose or suggest, amongst other patentable elements, (illustrative emphasis added) "a data zone including content protection information; an initial zone; and a main channel for storing content in the data zone and a side channel for storing address information and

data relevant for making recordings, wherein the content protection information comprises a pointer to a location of a copy of the key block stored in said initial zone, the key block used for protection of said content is stored in said side channel in said data zone" as recited in claim 1, and as similarly recited in each of claims 9, 10, 11, 12, and 13.

Based on the foregoing, the Applicants respectfully submit that independent claims 1 and 9-13 are patentable over Tosaki alone and in view of Ciacelli and notice to this effect is earnestly solicited. Claims 2-8 and 14 respectively depend from one of claims 1 and 13 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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